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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Mikkel Jordahl, et al.,

10 Plaintiffs,

11 v.

12 Mark Brnovich, et al.,

13 Defendants.
14

No. CV-17-08263-PCT-DJH

ORDER


15 Pending before the Court is a filing entitled “State’s Emergency Request for a 15-
16 Minute Telephonic Hearing for Purposes of Making an Oral Motion to Stay the Court’s
17 September 27, 2018 Order Pending Appeal.” (Doc. 64). Therein, the Attorney General
18 and the State of Arizona (“Moving Defendants”) argue an immediate telephonic hearing
19 with the Court is necessary so that they can make an “oral request for a stay pending
20 appeal” of the Court’s September 27, 2018 Order, which enjoined the State from
21 enforcing A.R.S. § 35-393.01(A). (*Id.*) They argue that that an emergency telephonic
22 hearing for purposes of making an oral motion to stay the Preliminary Injunction is
23 warranted because the “Preliminary Injunction relates to a question of first impression in
24 the Ninth Circuit, covers all contracts with the State, and thus is already affecting the
25 myriad state RFPs that are pending and will be issued shortly.” (*Id.*) Moving Defendants
26 offer no details regarding the adverse effects the Court’s Order is having on these
27 pending RFPs, however. Moreover, they have provided no legal authority that justifies
28 the need for an expedited decision on this matter.

1 On the brief rationale provided, the Court finds that Moving Defendants have not
2 established cause for an emergency hearing for purposes of making an oral request for a
3 stay pending appeal. To the extent the Moving Defendants seek such relief, they may file
4 a written motion to stay with the Court.

5 Accordingly,

6 **IT IS ORDERED denying** the “State’s Emergency Request for a 15-Minute
7 Telephonic Hearing for Purposes of Making an Oral Motion to Stay the Court’s
8 September 27, 2018 Order Pending Appeal.” (Doc. 64).

9 Dated this 1st day of October, 2018.

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12 Honorable Diane J. Humetewa
13 United States District Judge
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